

APPROVED

Minnesota Board of Behavioral Health and Therapy

BOARD MEETING MINUTES

February 19, 2010 - 12:00 p.m.

Conference Room C, Third Floor; 2829 University Avenue SE, Minneapolis, MN

1. Call to Order / Roll Call

Board members present: Barb Carlson, Marlae Cox-Kolek, Doug Frisk, Judi Gordon, Kristen Piper, Duane Reynolds, Walter Roberts, Nicholas Ruiz, and Nona Wilson

Board members absent: Toni Backdahl, Freddie Davis-English, Bob Schmillen, Judy Sherwood

Staff members present: Kari Rechtzigel, Executive Director; Samantha Strehlo, LADC Licensing Coordinator

Others present: Nathan Hart, Assistant Attorney General; Margaret Hastings, MA, LPC; Richard Kotasek, Century College; Nicole Morgan, Graduate Student; Rebecca Lund, Graduate Student

2. Approval of November 20, 2009, Board Meeting Minutes

Duane Reynolds moved to approve the minutes. Walter Roberts seconded. Chair Ruiz called for a vote on the motion. All board members present voted "aye," there were no nays, and the motion to approve the minutes carried.

3. Staff Member Reports

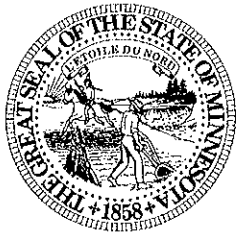
A. Executive Director's Report (Kari Rechtzigel)

Ms. Rechtzigel announced that Lori Strom gave birth to a daughter, Marie Audrey Strom, on February 3, 2010.

Ms. Rechtzigel reported that on Tuesday, February 16, 2010, she testified before the Senate Health and Human Services Budget Committee, chaired by Senator Linda Berglin. The purpose of the committee hearing was to take testimony regarding the effect on the board of the Governor's budget proposal recommending a 3% cut to all state agencies and boards. The 3% of BBHT's budget (approximately \$20,000 in the next two years) would be transferred to the General Fund to fund other programs. Ms. Rechtzigel testified that BBHT has struggled with program debt since the board was created in 2003 and any further reductions are devastating to a small board's ability to operate and fulfill its statutory duties.

Walter Roberts asked for historical information on cuts to the BBHT budget. Ms. Rechtzigel reported that the BBHT budget was cut by 41.5% in 2007 to address program debt; this reduction would have occurred anyway and was not related to recommendations from the Governor's Office or the Legislature. Ms. Rechtzigel reported that in 2008 approximately \$3 million was taken from the Special Revenue Fund to fund other programs. BBHT's share was \$90,000, which represented 22.8% of the board's operating budget. Another cut was made in 2009, but BBHT was not affected

EXECUTIVE	APPL/LICENSURE	POLICY/RULES	LEGISLATIVE	COMPLAINT RESOLUTION	EXAM EVAL
Nick Ruiz	Kristen Piper	Nicholas Ruiz	Nick Ruiz	Walter Roberts	Walter Roberts
Kristen Piper	Judi Gordon	Walter Roberts	Walter Roberts	Nick Ruiz	Duane Reynolds
	Nick Ruiz	Duane Reynolds	Judi Gordon	Duane Reynolds	Nick Ruiz
	Barb Carlson			Marlae Cox-Kolek	



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by this cut because BBHT is operating in the red and the language in the bill related to taking surplus amounts from the Special Revenue Fund. The Governor's recommendation to cut 3% of remaining funds for FY 2010 and 3% of the budget for FY 2011 is the most recent proposed reduction to the BBHT operating budget. Nathan Hart commented that what is such a concern to the chapter 214 licensing boards is that they are supposed to be entirely self-sufficient. They are required to collect fees sufficient to cover the costs of regulation. For a board to be directed to reduce a budget when it is supposed to be collecting the cost of regulation is a non sequitur.

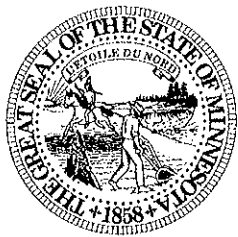
Chair Ruiz asked if fees could be reduced because health licensing funds are being taken to fund other programs. Mr. Hart stated it is possible, but the decision to raise or reduce fees usually is made by the Department of Finance. Chair Ruiz raised the issue of asking for debt forgiveness through legislation. Mr. Hart replied that "you can ask," but it's not likely to happen. The issue of debt forgiveness was raised when the LADC program was transferred to BBHT from the Department of Health. The law provides that the debt comes with the program. Ms. Rechtzigel informed the board that the LADC program came to BBHT in 2005 with a \$1 million debt. Ms. Rechtzigel reported that the debt is on schedule to be retired in 2013.

Mr. Hart noted that the health licensing boards wrote to the Legislature this session asking to be exempt from the 3% cuts because of their law enforcement function. It's a long shot, but it's encouraging that the boards were asked for testimony on the issue. It remains to be seen what the final legislative action will be regarding the health licensing boards' budgets.

Chair Ruiz noted that the BBHT staff continues to process licenses in spite of leaves of absence and that the temporary workers have been doing a good job. Chair Ruiz also thanked Mr. Hart for his contributions to the board operations. Duane Reynolds agreed that Mr. Hart is pragmatic and helps advise the board on how to be cost effective.

Ms. Rechtzigel requested that the board delegate authority to Samantha Strehlo to sign documents on behalf of the board when Ms. Rechtzigel is absent, similar to the past delegation to Lori Strom. Samantha is the acting office manager during Lori Strom's leave of absence. Walter Roberts moved to approve the Delegation of Authority document and Doug Frisk seconded. All Board members present voted "aye," there were no nays and the motion carried.

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Nick Ruiz	Kristen Piper	Nicholas Ruiz	Nick Ruiz	Walter Roberts	Walter Roberts
Kristen Piper	Judi Gordon	Walter Roberts	Walter Roberts	Nick Ruiz	Duane Reynolds
	Nick Ruiz	Duane Reynolds	Judi Gordon	Duane Reynolds	Nick Ruiz
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B. LADC Program Update (Samantha Strehlo)

1. Licenses Issued Since Last Board Meeting. Ms. Strehlo provided board members with a list of persons licensed since the last board meeting on November 20, 2009. See Attachment 1 to these minutes.

2. Report on Licensure Activity. Ms. Strehlo reported that approximately 500 renewals are being processed for the March 2010 renewal. The overall number of licensees is gradually increasing even with the licenses that lapse after each renewal. Rolling renewals for LADCs will begin in September 2010. For a 12 to 17 month period, prorated renewal fees will be used until the rolling renewal structure is in place. The new BBHT database is scheduled to "go live" for the LADC program in July 2010. Online renewals will be possible with the new database. Ms. Strehlo also reported that she and Ms. Rechtzigel attended a demonstration related to the Office of Enterprise Technology statewide licensing gateway. Issues related to OET's statewide licensing initiative remain unclear regarding what services they will offer, what OET services licensing boards will have to use, and what to do if licensees do not like the OET system.

[Barb Carlson arrived at 12:27 p.m.]

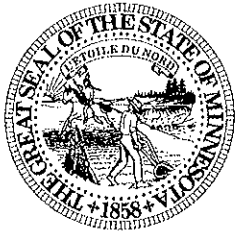
C. LPC/LPCC Program Update (Kari Rechtzigel).

1. Licenses Issued Since Last Board Meeting. Ms. Rechtzigel provided board members with a list of LPC and LPCC licenses issued since the last board meeting on November 20, 2009. See Attachment 2 to these minutes.

2. Voluntarily Terminated Licenses. Ms. Rechtzigel provided board members with the following list of licenses that were voluntarily terminated since the last board meeting:

Karen Felling (LPC00304)
Holly Walters (LPC00271)
Lori Wheelright (LPC00313)
Bonnie Schuppel-McGrath (LPC00296)
Judiann Bryant (LPC00596)

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Kristen Piper	Judi Gordon	Walter Roberts	Walter Roberts	Nick Ruiz	Duane Reynolds
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4. Legislative Committee Report (Nathan Hart)

Nathan Hart reported on the activities of the Legislative Committee since the November 2009 board meeting.

[Kristen Piper arrived at 12:34 p.m.]

On November 5, 2009, the Legislative Committee met with a few of the Public Advisory Committee members to review the draft of the proposed LADC legislation. On December 21, 2009, a recommendation from ADC educators was received requesting that coursework required for licensure include co-occurring disorders. On January 8, 2010, committee members met with MARRCH members to discuss their opposition to removing the ethics and cultural diversity requirements from the continuing education requirements. An agreement was reached to require 3 hours of ethics and 9 hours of human diversity training for each CE reporting period.

Mr. Hart described the committee's goal to have the education requirements necessary to practice alcohol and drug counseling the same for the temporary permit as for full licensure. He explained that all other licensing boards require persons to meet the education requirements before they can practice. Typically, temporary permits are used to allow someone to practice while they are studying for the licensure exam.

At the present time, the temporary permit only requires an associate's degree (or the equivalent), 270 clock hours of ADC coursework, and an 880 hour practicum. Licensure requires a bachelor's degree, 270 clock hours of ADC coursework in 6 specified areas, an 880 hour practicum, and a passing score on the licensure exam(s). In January 2010, the committee met with ADC educators to discuss their opposition to changing the education requirements for the temporary permit. Possible compromise language was discussed, but the issue was not resolved. Mr. Hart noted that the LADC licensing bill will die without the support of MARRCH. Ms. Strehlo reported that the actual number of persons affected by the change in the permit requirements is estimated to be a small number. Of the 138 current permit holders, 72 already have a bachelor's degree.

At 12:55 p.m. Dick Kotasek (educator from Century College) addressed the board with his concerns about changing the education requirements for the temporary permit. He stated he is advocating for students. Keeping the permit requirements the same would allow persons to practice while completing the bachelor's degree and exam required for licensure.

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Kristen Piper	Judi Gordon	Walter Roberts	Walter Roberts	Nick Ruiz	Duane Reynolds
	Nick Ruiz	Duane Reynolds	Judi Gordon	Duane Reynolds	Nick Ruiz
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5. Variance Requests

A. Troy Faddis, LMFT (Utah)

Mr. Faddis requested a variance to Minn. R. 2150.5010, subpart 3.C., which requires supervisors to document 45 hours of formal training in counseling supervision. During the discussion, Mr. Hart noted that Mr. Faddis has the AAMFT approved supervisor designation. The Board has deemed in the past that the training hours required to receive that designation exceed 45 hours. Therefore, a variance was not necessary.

B. Laura Gertz, MA, LPC

Ms. Gertz requested a variance to Minn. R. 2150.5010, related to approving supervised practice hours completed in the State of Wisconsin with non-approved supervisors. Doug Frisk moved to approve the request. Duane Reynolds seconded. All board members present voted "aye," there were no nays and the request was granted. Supervised practice hours Ms. Gertz completed with Bradley Riemann, LP, and Robert Nohr, LP, were approved for purposes of compliance with the requirements for LPC/LPCC supervision.

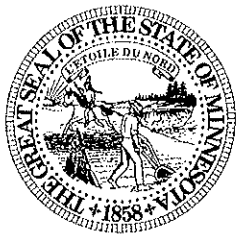
C. Judith Miller, MA, LP

Ms. Miller requested a variance to Minn. R. 2150.5010, subpart 3.C., which requires supervisors to document 45 hours of formal training in counseling supervision. Kristen Piper moved to deny the request. Duane Reynolds seconded. Discussion followed and board members concluded that Ms. Miller still had not demonstrated hardship. All board members present voted to deny the request. The reason for the Board's denial was that the Board members determined that she did not show sufficient hardship or injustice for purposes of meeting the grounds for the granting of a discretionary variance pursuant to Minnesota Statutes section 14.055, subdivision 4. Therefore, Ms. Miller must provide appropriate documentation of 45 hours of formal training in counseling supervision in order to supervise candidates for LPC or LPCC licensure.

D. William Souther, LICSW

Mr. Souther requested a variance to Minn. R. 2150.5010, subpart 3.C., which requires supervisors to document 45 hours of formal training in counseling supervision. Judi Gordon moved to deny the request. Marlae Cox-Kolek seconded. The Board voted unanimously to deny the request. The reason for the Board's denial was that the Board members determined that he did not show sufficient hardship or injustice for purposes of meeting the grounds for the granting of a discretionary variance pursuant to Minnesota Statutes section 14.055, subdivision 4. Therefore, Mr. Souther must provide appropriate documentation of 45 hours of formal training in counseling supervision in order to supervise candidates for LPC or LPCC licensure.

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Kristen Piper	Judi Gordon	Walter Roberts	Walter Roberts	Nick Ruiz	Duane Reynolds
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E. Gloria Sabin, LICSW

Ms. Sabin requested a variance to Minn. R. 2150.5010, subpart 3.C., which requires supervisors to document 45 hours of formal training in counseling supervision. Doug Frisk moved to approve the request for a single instance of supervision for Tami Dale. Duane Reynolds seconded. All board members present voted "aye," there were no nays, and the request was granted. The full 45 hours of formal training documentation in this **single** instance will not be required, and supervised practice hours that Tami Dale completes under Ms. Sabin's supervision are approved to meet licensure requirements related to LPC and LPCC supervision. Thereafter, in order for supervised practice hours to count for any other supervisee, Ms. Sabin must meet the 45 hours of training requirement.

F. Tracy Schmidt, LPC Applicant

Ms. Schmidt requested a variance to Minn. R. 2150.5010, related to approving supervised practice hours with a non-approved supervisor. Doug Frisk moved to approve the request. Judi Gordon seconded. All board members present voted "aye," there were no nays and the request was granted. Supervised practice hours Ms. Schmidt completed with Patricia Verby, MA, LP, beginning in June 2006, were approved for purposes of compliance with the requirements for LPC/LPCC supervision.

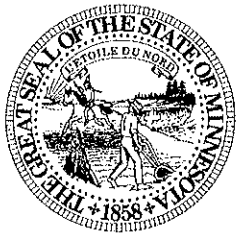
G. Christa Surerus, MA, LPC

Ms. Surerus requested a variance to Minn. R. 2150.5010, subpart 4.C., related to approving supervised practice hours with a non-approved supervisor (Dr. Pardo) and approving supervised practice hours with Stephen Lander (an approved supervisor) completed at a ratio of one hour of supervision for 40 hours worked instead of two hours of supervision for 40 hours worked. Judi Gordon moved to approve the request. Marlae Cox-Kolek seconded. Chair Ruiz abstained. Marlae Cox-Kolek and Doug Frisk voted "aye." All other board members present (Barb Carlson, Judi Gordon, Kristen Piper, Duane Reynolds, Walter Roberts, and Nona Wilson) voted nay and the request was denied.

The reason for the Board's denial is that LPCCs are subject to the board's statutes and rules to the same extent as licensed professional counselors (*see* Minnesota Statutes section 148B.5301, subdivision 6). That means that LPCCs are subject to the supervision rules. The board's legal counsel advised that the board would not be following its legislative mandate to accept supervision completed at half of the required ratio (Lander supervision).

The Board also considered the supervised practice hours Ms. Surerus completed with Dr. Pardo. Only the supervised practice hours (1600) and supervision hours (80) she completed with Dr. Pardo before July 5, 2005, may be counted. Ms. Surerus must complete 2400 additional hours of supervised clinical practice with an approved supervisor and in accordance with the board's supervision rules before the LPCC license can be issued to her.

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Kristen Piper	Judi Gordon	Walter Roberts	Walter Roberts	Nick Ruiz	Duane Reynolds
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H. Jodi Cowan, MS, LPC

Ms. Cowan requested a variance to Minn. R. 2150.5010, related to approving supervised practice hours with a non-approved supervisor. Judi Gordon moved to deny the request. Walter Roberts seconded. Discussion followed and Ms. Gordon withdrew her motion to deny and moved instead to approve the request. Barb Carlson seconded. All board members present voted "aye," there were no nays and the request was granted. Supervised practice hours Ms. Cowan completed with Jane King, PsyD, LP, beginning on July 3, 2008, were approved for purposes of compliance with the requirements for LPC/LPCC supervision.

6. Public Comment Period

No commentary was offered. Mr. Kotasek addressed the board during the Legislative Committee report.

7. Adjournment

Duane Reynolds moved to adjourn the meeting. All board members present seconded. Chair Ruiz adjourned the meeting at 1:50 p.m.

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Kristen Piper	Judi Gordon	Walter Roberts	Walter Roberts	Nick Ruiz	Duane Reynolds
	Nick Ruiz	Duane Reynolds	Judi Gordon	Duane Reynolds	Nick Ruiz
	Barb Carlson			Marlae Cox-Kolek	

LADC Licenses Issued in November 2009

<u>Name</u>	<u>License Number</u>
Tamarah Gehlen	302759
Jennifer Gifford	302760
Anthony Krall	302761
Howard McMillian III	302762
Jay Ordoyne	302763
John Penn	302764
Lauren Rogers	302765
James Thom	302766
Nancy Yang	302767

LADC Licenses Issued in December 2009

<u>Name</u>	<u>License Number</u>
Lindsey Hagen	302768
James Janssen	302769
Maureen Lamb	302770
Debbie Leas	302771
Corrina McCarron	302772
Aziza Marshall	302773
Rebecca Miller	302774
Felix Montez	302775
Michael Narog	302776
Peter Oesterreich	302777
Nicole Schulte	302778
Patti Senn	302779
Vickie Crisler	302780
Antonette Flynn	302781
Jill Lahr	302782
Maria Roche	302783
Carol Schumann	302784
Daniel Willaby	302785

LADC Licenses Issued in January 2010

<u>Name</u>	<u>License Number</u>
Stephanie Duke	302786
Thomas Jay	302787
Patricia Kramer	302788
Amy Kron	302789
Anjuli Paroo	302790
Heidi Steiger	302791
Eric Trudell	302792
Laura Cormican	302793
Brian Dyke	302794
Erinn Kroeger	302795

LADC Licenses Issued in February 2010

<u>Name</u>	<u>License Number</u>
Julie Egge	302796
Terry Farber	302797
Darren Lind	302798
Kristine Owen	302799
Anne Prachar	302800
Kenneth Roberts	302801
Laura Roy	302802
Jeanette Smith	302803
Anna Vilay	302804
Vertis Williams	302805

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LPC and LPCC Licenses Issued Since Previous Board Meeting

	License Number	Status	License	Issued	First Name	Last Name
	LICENSED PROFESSIONAL COUNSELORS:					
1	LPC00833	Active	LPC	12/01/2009	Keith	TerHaar
2	LPC00834	Active	LPC	12/01/2009	Jennifer	DeCubellis
3	LPC00835	Active	LPC	12/01/2009	Andrea	Andersen
4	LPC00836	Active	LPC	12/01/2009	Jennifer	Jenniges
5	LPC00837	Active	LPC	12/01/2009	Cynthia	Peterson
6	LPC00838	Active	LPC	12/01/2009	Sarah	Rasmussen
7	LPC00839	Active	LPC	12/01/2009	Tammy	Bueckers Yoss
8	LPC00840	Active	LPC	12/01/2009	Charlotte	Johnson
9	LPC00841	Active	LPC	12/01/2009	Lisa	Vanderveen
10	LPC00842	Active	LPC	12/01/2009	Marina	Johnson
11	LPC00843	Active	LPC	12/01/2009	Tami	Dale
12	LPC00844	Active	LPC	12/01/2009	Da'Nel	Randall
13	LPC00846	Active	LPC	01/01/2010	Kristine	Radloff
14	LPC00847	Active	LPC	01/01/2010	Tris	Casciaro
15	LPC00848	Active	LPC	01/01/2010	Patricia	Moore
16	LPC00849	Active	LPC	01/01/2010	Angelique	Brewer-Ottum
17	LPC00850	Active	LPC	01/01/2010	Emily	Murphrey
18	LPC00851	Active	LPC	01/01/2010	Lori	Engblom
19	LPC00852	Active	LPC	01/01/2010	Nancy	Rach
20	LPC00853	Active	LPC	01/01/2010	Amy	Fullerton
21	LPC00855	Active	LPC	01/01/2010	Nikhil	Kaistha
22	LPC00856	Active	LPC	01/01/2010	Danielle	Carr
23	LPC00857	Active	LPC	01/01/2010	Donna	Wehrmeister
24	LPC00858	Active	LPC	01/01/2010	Heidi	Starkman
25	LPC00859	Active	LPC	02/01/2010	Debbie	Fuehrer
26	LPC00860	Active	LPC	02/01/2010	Kathleen	Chara
27	LPC00861	Active	LPC	02/01/2010	Sharon	Schlue
28	LPC00862	Active	LPC	02/01/2010	Heather	Himler
29	LPC00863	Active	LPC	02/01/2010	James	Schaffer
30	LPC00864	Active	LPC	02/01/2010	Judith	Johnston
31	LPC00865	Active	LPC	02/01/2010	Katie	Holmgren
32	LPC00866	Active	LPC	02/01/2010	Jacqueline	Getchius
33	LPC00867	Active	LPC	02/01/2010	Angela	Allano
34	LPC00868	Active	LPC	02/01/2010	Jennifer	Hocum
35	LPC00869	Active	LPC	02/01/2010	Daniel	Aleckson
36	LPC00870	Active	LPC	02/01/2010	Stephanie	Sholtz
37	LPC00871	Active	LPC	02/01/2010	Maryann	Scheeler
38	LPC00872	Active	LPC	02/01/2010	Caryn	Walters
39	LPC00873	Active	LPC	02/01/2010	Laura	Gertz
	LICENSED PROFESSIONAL CLINICAL COUNSELORS:					
1	cc00079	Active	LPC	12/1/2009	Panos	Kathryn

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LPC and LPCC Licenses Issued Since Previous Board Meeting

2	cc00080	Active	LPC	12/1/2009	Patterson	Megan
3	cc00081	Active	LPC	12/1/2009	McDaniel-Du	Deborah
4	cc00082	Active	LPC	12/1/2009	Troff	Anne
5	cc00083	Active	LPC	12/1/2009	Coolidge	Jennifer
6	cc00084	Active	LPC	12/1/2009	Thomas	Kristen
7	cc00085	Active	LPC	12/1/2009	Link	Deborah
8	cc00086	Active	LPC	12/1/2009	Nathe	Amy
9	cc00087	Active	LPC	12/1/2009	Thies-Weber	Donna
10	cc00088	Active	LPC	12/1/2009	Hoernemann	Chester
11	cc00089	Active	LPC	12/1/2009	Muhl	Kristin
12	cc00090	Active	LPC	12/1/2009	Solheim	Sheri
13	cc00091	Active	LPC	12/1/2009	Lucas-Silvis	Laura
14	cc00092	Active	LPC	1/1/2010	VerBout	Daniel
15	cc00093	Active	LPC	1/1/2010	Stephens	Brenda
16	cc00094	Active	LPC	1/1/2010	Serna	Carrie
17	cc00095	Active	LPC	1/1/2010	Wiener	Jennifer
18	cc00096	Active	LPC	1/1/2010	Patel	Shilpa
19	cc00097	Active	LPC	2/1/2010	Ellingson	Jillian
20	cc00098	Active	LPC	2/1/2010	Skodje-Mack	Barbara
21	cc00099	Active	LPC	2/1/2010	Robinson	Amy
22	cc00100	Active	LPC	2/1/2010	Johnson	Matthew
23	cc00101	Active	LPC	2/1/2010	Jung	Sandy
24	cc00102	Active	LPC	2/1/2010	Struthers	Teri
25	cc00103	Active	LPC	2/1/2010	Gorman	Patricia
26	cc00104	Active	LPC	2/1/2010	Lockie	Katherine
27	cc00105	Active	LPC	2/1/2010	Bengtson	Larry
28	cc00106	Active	LPC	2/1/2010	Clark	Jay
29	cc00107	Active	LPC	2/1/2010	Latzke	Deborah
30	cc00108	Active	LPC	2/1/2010	Leon	Carina
31	cc00109	Active	LPC	2/1/2010	Voss	Rachelle